IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr. Misc. No.13224 of 2008
ASHESHAR SINGH & ANR. Vrs. THE STATE OF BIHAR
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/3/ **21.08.2008** Heard the counsel for the petitioners and the State.

2. Petitioner no. 1, Asheshar Singh, is the father-in-law and petitioner no. 2, Smt. Allo Devi @ Meena Devi, is mother-in-law of the deceased. They are apprehending their arrest in connection with Akbarpur P.S. Case No. 2 of 2008 registered for offence under Sections 302 and 328/34 of the Indian Penal Code. Counsel for the petitioners has submitted that merely on suspicion the first information report has been instituted by the brother of the deceased. In course of investigation, the witnesses have not supported the allegation. Informant himself filed an application before the Court below that the allegation made in the first information report was made merely on suspicion which he subsequently came to know. Post mortem report also do not that the deceased died because of poisoning.

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3. Considering the facts, the prayer for anticipatory bail on behalf of the petitioners, is **allowed**. They are directed to be released on anticipatory bail, in case of their surrender before the Court concerned within four weeks from today, on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each in connection with the aforementioned case to the satisfaction of the Chief Judicial Magistrate, Nawada, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

(Mridula Mishra, J.)

S.A.